
 *** TX REPORT ***

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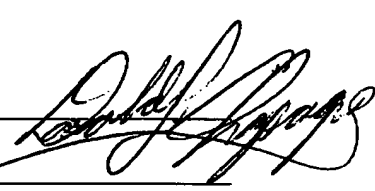


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COMMISSIONER FOR PATENTS
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Fax Cover Sheet

Date: 30 Jan 2002

To: Kevin A. Oliver, Esq.	From: Donald L. Champagne 
Application/Control Number: 09/441,191	Art Unit: 2162
Fax No.: 617-832-7000	Phone No.: 703-308-3331
Voice No.: 617-832-1241	Return Fax No.: 703-746-7239
Re: 09/441,191 (Atty. Docket No. 3980)	CC:

☐ Urgent ☐ For Review ☐ For Comment ☐ For Reply ☒ Per Your Request

Comments:

I am sorry that I was not available to receive your telephone call this morning, and that you find the Office's after-final practice to be wanting.

After-final practice is governed by a small part of MPEP 706.07(f) (at p. 700-63 of the August 2001 printing) and MPEP 713.09. After-final interviews are granted, at the sole discretion of the examiner, only when the examiner is "convinced" that such an interview will bring the case to disposal or clarification for appeal with only "nominal" further consideration. I find no basis for such a conviction, and therefore will not grant an after-final interview in this case.

I realize this may seem harsh to applicant, and frustrating to you, but the issue is basic economics. Neither the

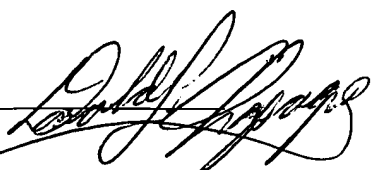


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I realize this may seem harsh to applicant, and frustrating to you, but the issue is basic economics. Neither the Office's fee structure, nor, I can assure you, the examiner compensation structure, are designed to support perpetual examination of a given case. Applicant's general choices after-final are appeal, CIP or CPA/RCE.

In answer to your question, I am the primary examiner in this case, but you are still free to talk to my boss, Supervisory Primary Examiner Eric Stamber, at 703-305-8469.

Number of pages 1 including this page

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